

#### **REMARKS**

The present invention provides a compact wall-mountable data outlet that brings packet-based network data connectivity closer to a user, enabling multiple user-equipment connections to the network, without requiring multiple connections to a centralized network device (such as a server or router) to support each equipment connection. The intelligence needed to forward data packets is enclosed within the data outlet, making multiple connections unnecessary. To better serve such purpose, the data outlet is configured physically to separate its equipment-interfaces from its premises-interface, thus enabling the mounting of the device in or on a wall.

Thirty-eight claims are pending, two being independent, *i.e.*, network claim 43 and method claim 54. All thirty-eight claims stand rejected under 35 U.S.C. §§ 102 and/or 103.

Applicants appreciate the examiner's comments and observations.

The claims are amended. Twelve claims remain, including a new (and now sole) independent claim, *i.e.*, product claim 63. They are all in condition for allowance.

#### **Claim Rejection - 35 U.S.C. § 102**

Claims 4 to 7, 13 to 14, 20, 39 to 40, 43, 48, 50, 52, 54, and 62 stand rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Pat. App. Pub. No. 2004/0196835, filed by Y. Binder on April 20, 2004 (hereinafter, the "Binder reference").

The Binder reference discloses "a method and apparatus for upgrading an existing telephone line wiring system within a residence or other building, to provide both analog telephony service and a local area data network featuring a serial 'daisy chained' or other arbitrary topology." (¶ 0017)

In rejecting independent network claim 48, the examiner notes that "Binder teaches a decentralized computer network", then proceeds to match applicants' claim recitations (*e.g.*, the "data infrastructure", the "plurality of communications outlets", the "faceplate", *etc.*) with paragraph cites to the Binder reference. In particular, in respect of applicants' recitation to a "bridge" – a feature important to applicants' invention – the examiner refers to Binders' "**Low Pass Filters (LPF) 51a, 511b and High Pass Filters (HPF) 52a and 52b of a splitter** for bridging device connected among port 53, 54, 55, 56 and 57 as shown in figure 5". (Emphasis added).

The comparison of a network bridge to a signal splitter employing low/high pass filters is questionable. The latter does not anticipate the former. They are not the same.

Regardless, the issue is moot. Claim 48 is cancelled.

Applicants' add herein new independent claim 63.

In contrast to cancelled claim 48, new claim 63 is directed to a "data outlet", not a "decentralized computer network". Claims 7, 13, 14, 16, 17, 18, 19, 20, 21, 33, and 34, which were all formerly ultimately dependent on cancelled claim 48, are now amended to depend on new claim 63. All other claims – including the method claims – are cancelled.

Withdrawal of the outstanding rejection is requested.

At the outset, new claim 63 include recitations to the data outlet's "user interface circuitry" and "premise interface circuitry". The "user interface circuitry" provides "**a plurality** of user-data

interfaces to said user equipment", whilst the "premise interface circuitry" provides "a premise-data interface to said premises' data network". (Emphasis added to underscore singularity and plurality). Support in applicants' specifications for such terms and such subject matter can be found, for example, at page 2, lines 24 to 26 ("User interface circuitry in the housing provides an interface to user equipment generally located in the user operating area"), and at page 2, lines 31 to 33 ("Premises interface circuitry in the housing provides an interface to premises equipment located generally outside the user operating area").

In respect of the applicant's "bridge", new claim 63 now recites that applicants' "bridge circuitry" (1) provides "data packet transfer", and (2) that said data packet transfer is "between said user interface circuitry and said premise interface circuitry". Support in applicants' specification for such terms and such subject matter can be found, for example, at Figs. 1, 2, and 3; and at page 5, lines 30 to 31 ("The basic function of the bridge 40 is transferring data packets between the PE link 20 and the various user interfaces 32 and 38, following programmable rules for allocating available communications bandwidth among the different traffic streams").

Applicants note *sua sponte* that the Binder reference does not disclose a "bridge circuitry" capable of transferring data packets between user and premises interface circuitry. Binder's signal splitter merely filters signals under known high/low-pass convention. This does not involve "data packets", nor the underlying packet processing needed therefor.

Finally, applicants' new claim 63 provides a well-delineated definition of the "housing" that substantially render applicants' "data outlet" both compact, wall-mountable, and functionally self-supporting.

First, applicants recites that the housing is "configured of rigid material and has a rear and a front". Support for this recitation can be found, expressly and intrinsically, for example, at page 7, lines 16 to 17 ("... formed of rigid material ..."); and Figs. 4, 5, and page 3, lines 19 to 22 ("rear" and -- by necessary implication -- "front").

Second, applicants recite that the housing "encloses said user interface circuitry, said premise interface circuitry, and said bridge circuitry". Support for this recitation can be found, for example, at page 2, line 22 to page 3, line 6 ("... in the housing ...").

And third, applicants recite that the housing is "mountable in or on a wall adjacent said user-operating area such that said front provides said plurality of user-data interface and said rear provides said premise-data interface". Support for this recitation can be found, expressly and intrinsically, for example, at page 7, lines 17 to 19 ("... suitable for mounting **on** a wall in a manner **similar to** the mounting of conventional telephone jacks"), page 2, lines 23 to 24 ("... on a wall **adjacent** to a user's work space"); page 2, lines 25 to 26 ("... interface to user equipment generally located **in** the user operating area"); and page 2, lines 31 to 32 ("interface to premise equipment located generally **outside** the user operating area). (Emphases added).

Applicants admit *sua sponte* that the Binder reference suggest a structure analogous to the first recitation. Regardless, the Binder reference does not disclose all applicants' recited circuitry being enclosed in the housing, as per the second recitation, and accordingly, neither discloses nor

suggests the relation of such internal interface circuitry with the "rear" and "front" of applicants' "housing", as per the third recitation.

New claim 63 is felt both novel and non-obvious.

The balance of the remaining claims are all dependent, directly or indirectly, on claim 63. These dependent claims, hence, are also felt both novel and non-obvious.

#### **35 U.S.C. § 103 – Binder/Kikinis**

Claims 12, 23 to 24, and 55 stand rejected under 35 U.S.C § 103(a) as unpatentable over the Binder reference in view U.S. Pat. No. 6,167,120, issued to D. Kikinis on December 26, 2000. Applicants appreciate the examiner's comments. Claims 12, 23 to 24, and 55 are, however, cancelled. The rejection is moot.

#### **35 U.S.C. § 103 – Binder/Whittaker**

Claims 33 and 56 stand rejected under 35 U.S.C § 103(a) as unpatentable over the Binder reference in view U.S. Pat. No. 6,130,893, issued to R.J. Whittaker *et al.* on October 10, 2000 (hereinafter, the "Whittaker reference").

Claim 56 is cancelled. The rejection is moot as to that claim.

Claim 33 is now dependent on new claim 63. Claim 33 is directed to a data outlet "further comprising a processor operative to provide at least one-high level service to the user via at least on the user-data interfaces".

The examiner observes, "Whittaker *et al.* ('Whittaker') teaches a plurality of 'outlet'. e.g. terminal adapters 20a-20b as shown in figure 1, each comprises a processor (i.e., central control unit 68 as shown in figure 3) for controlling active components in the adapter."

Applicants do not question the examiner's observation. Applicants do however note that the Whittaker reference does not disclose or suggest applicants' "data packet transfer"-related circuitry in the same contextual relationships with applicants' housing as set forth in applicants' new claim 63. The Whittaker reference thus does not bridge the deficits of the Binder reference.

Reconsideration and withdrawal of the rejection is requested.

#### **35 U.S.C. § 103 – Binder/Whittaker/Menon**

Claims 16 to 17, 21, 34 to 38, 41, 49, 51, 53 and 57 to 61 stand rejected under 35 U.S.C. § 103(a) as unpatentable over the Binder reference, in of the Whittaker reference, in further view of U.S. Pat. App. Pub. No. 2004/0196835, filed by N.P. Menon *et al.* on December 19, 2000 (hereinafter, the "Menon reference").

Claims 35 to 38, 41, 49, 51, 53, and 57 to 61 are cancelled. The rejection is moot as to those claims.

The balance of the claims 16 to 17, 21, and 34 are all directed to specific "high level services", a feature broadly recited in claim 33, which applicants' distinguished in the immediately preceding remarks. To the extent that the Menon reference discloses such specific "high level service", the reference nonetheless fails to cure the other shortcomings of the Whittaker and Binder reference.

The Menon reference was reviewed. It does not appear to disclose or suggest applicants' "data packet transfer"-related circuitry in the same contextual relationships with applicants' housing as set forth in applicants' new claim 63.

Reconsideration and withdrawal of the rejection is requested.

**35 U.S.C. § 103 – Binder/Whittaker/Vaughn**

Claims 18 and 19 stand rejected under 35 U.S.C. § 103(a) as unpatentable over the Binder reference, in view of the Whittaker reference, in further view of U.S. Pat. No. 6,661,893, filed by K. Vaughn *et al.* on December 9, 2003 (hereinafter, the "Vaughn reference").

Both claims 18 and 19 remain in the present application, but amended to change their dependencies ultimately onto new claim 63. They are both directed to – in further specification of claim 33's "high level service" – to a "diagnostic and status reporting service".

The examiner notes that "Vaughn teaches a telephone loop monitoring system ... wherein status information can [be] reported to a user via a display means. Applicants agree. But its irrelevant.

Like the Binder, Whittaker, and Menon references, the Vaughn reference does not disclose or suggest applicants' "data packet transfer"-related circuitry in the same contextual relationships with applicants' housing as set forth in applicants' new claim 63.

Furthermore, applicants note that several conventional wall mounted jacks 32 are used in the Vaughn reference to connect user-equipment 34, 44, and 54. Inasmuch as this clearly "teaches away" from applicants' invention, applicants question whether the combination of the Vaughn reference with the Binder and Menon references is merited.

Reconsideration and withdrawal of the rejection is requested.

**Conclusion**

The pending claims define subject matter neither described nor suggested by the cited art references. The written description and claims meet all applicable statutory requirements. The application is in condition for allowance.

Respectfully submitted,



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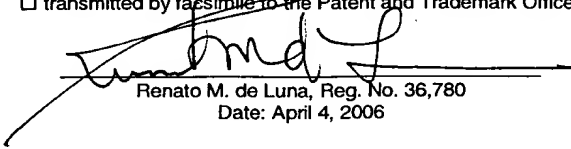
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